

1b. 2011SP-024-001

MEADOWS DOWNS

Map 149, Parcel(s) 026

Council District 28 (Duane A. Dominy)

Staff Reviewer: Greg Johnson

A request to rezone from R10 to SP-MR zoning property located at 2158 Una Antioch Pike, approximately 1,915 feet south of Murfreesboro Pike (8.9 acres) and within the Floodplain Overlay District, to permit a maximum of 70 dwelling units within an assisted living and/or nursing facility, requested by Anderson, Delk, Epps and Associates Inc., applicant, Pamela Meadows, owner. (See also Community Plan Amendment Case # 2011CP-013-004)

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST

To permit assisted-living and nursing home land uses

Preliminary SP

A request to rezone from One and Two Family (R10) to Specific Plan – Mixed Residential (SP-MR) zoning property located at 2158 Una Antioch Pike, approximately 1,915 feet south of Murfreesboro Pike (8.9 acres) and within the Floodplain Overlay District, to permit a maximum of 70 dwelling units within an assisted living and/or nursing facility.

Existing Zoning

R10 District – R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at a density of 4.63 dwelling units per acre under a cluster lot subdivision allowing for 25 percent duplex lots. Subdivision of the site under the existing zoning would most likely occur as a cluster lot subdivision.

Proposed Zoning

SP-MR District – Specific Plan-Mixed Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

CRITICAL PLANNING GOALS

N/A

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

Existing Policy

Residential Low-Medium (RLM) policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate. The proposed density for this SP is approximately 7.9 dwelling units per acre, which is not consistent with the

recommended density of two to four dwelling units per acre within RLM policy.

Proposed Policy

T3 Neighborhood Evolving (T3 NE) policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

Consistent with Policy?

The SP proposal, at approximately 7.9 dwelling units per acre does not meet the RLM land use policy, which recommends a density of two to four dwellings units per acre. The applicant proposes to amend the current land use policy through an associated land use policy amendment application to the T3 NE land use policy, which would permit up to 20 dwelling units per acre. The mismatch of proposed density with policy, and the disapproval recommendation of the proposed T3 NE policy provide the basis for the disapproval recommendation of the zone change.

In addition to the issues with policy and density, the design of the site is not ideal to the existing topography or to the surrounding residential uses. Significant site grading will likely be necessary to accommodate a facility with such a large floor plate, as shown by the potential 25 foot retaining wall on the site plan. As stated in the disapproval recommendation for the policy amendment staff report, the concentration of a large facility on a relatively small portion of the site is likely to result in significant grading. Development under the current RLM policy would be less dense and could be more adaptable to the existing topography.

Although the site is located on land that is adjacent to single-family residential development on the south, the site plan does not show the intent to provide transitions in building form or street connections to this area. The disapproval recommendation in the policy amendment staff report points out that development under the RLM policy would be more likely to provide a stronger connection, in terms of building form and design, to the adjacent single-family residential neighborhood.

The SP proposal is for 70 dwelling units within nursing home and assisted-living uses. Because the permitted densities of the assisted-living and nursing home uses are expressed differently by the Zoning Code, the maximum combined density within the SP should be expressed in terms of rooming units and floor area ratio (FAR) instead of dwelling units. According to the Zoning Code, three assisted-living rooming units are considered to be a dwelling unit, allowing for a maximum number of 210 rooming units within the SP. The maximum FAR of the RM9 fall-back zoning district is 0.60.

PLAN DETAILS

The proposed SP consists primarily of a conceptual site diagram illustrating the proposed location for the nursing home and assisted living uses. The SP also includes limited bulk and architectural standards.

Land uses and site layout

The SP plan illustrates the intended layout of the SP. As proposed, a driveway access from Una-Antioch Pike provides the primary access to the site. The proposed facility and associated parking are located near the southeastern corner of the site.

Much of the site contains features that are considered to be environmentally-sensitive. A stream runs along the front of the site, adjacent to Una-Antioch Pike. Additionally, much of the site is sloped with areas of 20 percent slope or greater on the northern portion of the site. The proposed facility is shown on the least sloped portion of the site. However, the site plan shows the likely need for significant grading to the site in order to accommodate the proposed building. The site plan also shows that retaining walls could reach a height of 25 feet within the proposed development. The significant amount of site grading needed to accommodate the proposed use is not consistent with the character of the adjacent neighborhoods.

Architectural Standards

The SP includes minimal architectural standards that describe the intent of appropriate building design and specify acceptable materials for exterior walls, roofs, and awnings. The SP document submitted with the SP proposes a maximum building height of three stories for the assisted living/nursing facility.

Signage

Specific signage is not proposed within the SP. A note within the SP states that *signage shall be consistent with the sign standards found in the Metro Zoning Ordinance.*

Community Meeting

A community meeting to discuss this SP proposal and associated plan amendment was held on October 27, 2011. Approximately 20 people were in attendance. A number of issues were raised including traffic and residential density.

NES RECOMMENDATION

1. Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. No other utilities or private conduit can be under NES equipment.
2. Pad mounted equipment and riser pole must be installed no further than 10 feet off of paved surface.
3. Developer drawing shall show existing utility easements on property and the utility poles on the property and/or r-o-w.
4. Public utility easements required adjacent to public r-o-w and centered on NES and communication conduits. Widths to be determined.

5. NES equipment knuckle easements will be required. Dimensions to be determined.
6. Any additional easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
7. Postal plan will be required before NES's final construction drawings can be issued.
8. NES can meet with developer/engineer upon request to determine electrical service options and meter locations for assisted living and independent living.
9. NES meters will be installed on multi gang pedestals for townhomes.
10. NES needs any drawings that will cover any road improvements to Oak Barrel Drive that Metro Public Works will require (i.e., turning lanes, driveway ramps or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developer.
11. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
12. For line removal contact "ESE" – best to request removal when signing up for power.
13. If porches are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.
14. If these are public streets then street lighting has to meet Metro/NES standards...
15. Developer needs to contact NES street lighting engineering @ 747-3531 (Bert Gilchrist) if decorative lights are planned.

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Drive aisles shall be 24' wide, parking stalls shall be 8.5'x18'.
- Submit solid waste and recycling plan with final construction documents.
- Show sidewalk with curb and gutter along the frontage of Una Antioch Pike.
- Provide adequate sight distance at proposed access on Una Antioch.
- Extend Left turn lane at Picadilly signalized intersection as TWTL along Property frontage to proposed project access with transition per MUTCD and AASHTO standards.

- Modify traffic signal at Picadilly intersection to provide ped crossing facilities for Una Antioch crossing.

Maximum Uses in Existing Zoning District: **R10**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|--------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential(210) | 8.9 | 4.63 D | 41 L | 458 | 39 | 49 |

Maximum Uses in Existing: **SP**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|--------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Assisted Living Facility (254) | 8.9 | - | 300 Beds* | 526 | 42 | 66 |

Traffic changes between maximum: **R10** and proposed **SP**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +68 | +3 | +17 |

*The application has been revised with a reduced number of beds (210).

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

Approved

Plans show project is sprinklered.

Plans show grade will be no greater than 10%.

METRO SCHOOL BOARD REPORT

A School Board Report was not prepared because this SP is for assisted-living and nursing facility uses only and will not generate students.

STAFF RECOMMENDATION

Staff recommends disapproval. The proposed SP is not compatible with the existing RLM land use policy, and because staff recommends disapproval of the proposed T3 NE policy. Additionally, the design of the proposal does not adequately address topography issues on the site or adjacent single-family development. Development meeting the density and intent of the existing RLM policy could be more likely to accommodate the site's existing topography and allow for an appropriate transition to adjacent development.

The Metro Fire Marshal has not approved the SP proposal. Fire Marshal comments are shown above.

CONDITIONS (if approved)

1. The uses of this SP shall be limited to a nursing home or an assisted living facility, or a combination of the two, to a maximum number of 210 rooming units with a maximum 0.6 Floor Area Ratio.
2. Ground signage shall be limited to one ground sign along the Una-Antioch street frontage. Ground signs shall have a maximum height of six feet with a maximum display area of 32 square feet.
3. Comments listed above from Metro Public Works and Metro Stormwater shall be addressed on the corrected copy of the preliminary SP plan.
4. All requirements of Chapter 17.24 (Landscaping, buffering and tree replacement) of the Metro Zoning Code for MUL zoning shall be met with any final site plan within the SP.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Metro Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of

any building permits.

Mr. Johnson presented the staff recommendation of disapproval.

Mr. Clifton moved and Dr. Cummings seconded the motion to approve Item 1b with the understanding that the access point be Oak Barrel Drive.

Mr. Adkins stated that he does not feel that the proper entrance is Oak Barrel Drive as the traffic impact would be bad for the houses on that street.

Councilmember Claiborne moved and Mr. Adkins seconded the motion to amend the previous motion by deleting the condition that it connects to Oak Barrel Drive. (7-2) Mr. Clifton and Mr. Ponder voted against.

The vote was taken to approve the SP with conditions listed in the staff report and including conditions added by the applicant at the Planning Commission meeting. (8-1) Ms. LeQuire voted against.

Resolution No. RS2012-39

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-024-001 is **APPROVED WITH ALL STAFF CONDITIONS, and the additional conditions added by the applicant at the Planning Commission meeting, and disapprove without conditions. (8-1)**

Conditions of Approval:

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2. Ground signage shall be limited to one ground sign along the Una-Antioch street frontage. Ground signs shall have a maximum height of six feet with a maximum display area of 32 square feet.
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8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Una Antioch Pike shall be constructed to a three lane road with curb and gutter along the frontage of the property
10. A pre-blast survey of all structures within 600 feet of the property line shall be offered to all property owners.
11. Additional landscaping along the property line abutting the Oak Barrel Lane subdivision shall be provided as determined by the Councilmember

The SP proposal is consistent with the T3 Neighborhood Evolving policy."